

KENTUCKY LEGISLATURE.

IN SENATE.

WEDNESDAY, January 21, 1846.

Prayer by the Rev. J. J. Bullock.

The Clerk read the Journal of yesterday. Petitions were presented by Messrs. HARDIN and JAMES.

REPORTS FROM STANDING COMMITTEES.

Mr. HARDIN, from the committee on the Judiciary, a bill to amend the charter of the town of Nicholasville: passed.

Also, a bill to legalize the proceedings of the Trigg County Court at the November term, 1845: passed.

Also, a resolution rejecting the petition of Jacob Bigelow, attorney in fact for the heirs of the late Capt. Richard McCarty: concurred in.

Also, a bill establishing the town of Mount Eden, in Spencer county: passed.

Mr. W. P. BOYD, from the committee on Religion, that the H. R. act to divorce Reuben Herndon, from his wife, Mary E. Herndon, ought not to pass.

Mr. TODD moved an amendment, divorcing Mary E. Herndon, from her husband, Reuben Herndon. Mr. HARRIS moved that the bill and amendment lie on the table: agreed to, yeas 27, nays 3.

Mr. W. P. BOYD, from the same committee, a resolution rejecting the petition of Zachariah Weeks for a divorce: concurred in.

Also, a resolution rejecting the petition of Louisa A. Flournoy for a divorce: concurred in.

MOTIONS AND RESOLUTIONS.

Mr. DYER, leave to introduce a bill to amend the act incorporating the Louisville and Mississippi Railroad Company: referred to Committee on Internal Improvement.

Mr. HARDIN, leave to introduce a bill for the benefit of Joshua P. Owens, &c., infant heirs of Jeremiah Owens, deceased: referred to committee on the Judiciary.

Mr. HARRIS, leave to introduce a bill to allow holders of land office warrants two years to return them to the Register's office: referred to a select committee.

Mr. EVANS, leave to introduce a bill for the benefit of Port Olive, in Allen county: referred to a select committee.

Mr. SOUTH, leave to introduce a bill for the benefit of Thomas Haggin, Sheriff of Breathitt: referred to committee on Finance.

Mr. JAMES, leave to introduce a bill to provide for the erection of a Marine railway, in the town of Hickman, and for other purposes: referred to a select committee.

Mr. BRADFORD, leave to introduce a bill to reduce the number of Justices of the Peace in Scott county: referred to a select committee.

Mr. HARDIN, leave to introduce a bill for the benefit of Elizabeth Williams: referred to committee on the Judiciary.

Mr. CONNER, leave to introduce a bill to establish an election precinct in Lawrence: referred to committee on Privileges and Elections.

Also, leave to introduce a bill allowing an additional Justice of the Peace to Lawrence: referred to committee on Propositions and Grievances.

Also, leave to introduce a bill allowing an additional Justice of the Peace to Carter: referred to committee on Propositions and Grievances.

Mr. DRAKE, leave to introduce a bill for the benefit of Thomas Crutcher and children: referred to committee on the Judiciary.

REPORTS FROM SELECT COMMITTEES.

Mr. SWOPE, a bill to appropriate the proceeds of vacant lands in Pendleton, to the erection of a Court House in said county: re-committed to committee on the Judiciary.

ORDERS OF THE DAY.

Sundry H. R. acts were referred to appropriate standing committees.

A H. R. act to change the place of voting in the Bacon creek precinct in Hart county, from the house of Daniel Boone to James Simpson's: passed.

A message from the Governor by the Secretary of State.

Mr. HENDERSON moved that the H. R. bill taxing pistols, bowie knives, &c., be referred to the committee on the Judiciary: negatived, and bill referred to committee on Finance.

The Governor's message, nominating John Williams, Sheriff of Letcher, was taken up: rules dispensed and confirmed.

Mr. JAMES, from the committee on Finance, by unanimous consent, reported a H. R. act for the benefit of the Sheriff of Perry, with an amendment, providing that the securities of said Sheriff consent to the indulgence granted: concurred and passed.

An act changing the venue in the case of Garrett Fitzpatrick from Fayette to Clarke, with a H. R. amendment, changing the venue to Woodford: concurred in.

An act for the benefit of J. N. Radford, &c., with a H. R. amendment: concurred in.

An engrossed bill to amend penal laws: punishes for maliciously maiming and killing horses, cattle, &c.: re-committed to the committee on the Judiciary.

An engrossed bill, divorcing Elizabeth Widdell, of Campbell, from her husband: passed—yeas 18, nays 10.

A H. R. act for the relief of Edmund Payne, of Warren: allows him to bring in certain slaves: passed—yeas 21, nays 9.

A joint resolution from the H. R. authorizing the Chairmen of committees on Public Printing to go any distance within sixty miles of Frankfort for information, &c.

Mr. GRAY moved to amend by substituting the resolutions offered by Mr. PEYTON on a previous day, as follows:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee be raised, to consist of five members of the Senate, and seven members of the House of Representatives, whose duty it shall be, to examine the accounts of the Public Printer of this Commonwealth, and report to the General Assembly, whether the same is in accordance with his contract, and the law in relation to that subject; and said committee shall also enquire whether any amendment is necessary in the laws in relation to the Public Printing; and whether the printing can be done at less cost to the Commonwealth, by a different mode than that now provided for by law; and if, in the opinion of said committee, it shall be necessary for the prosecution of the enquiries directed by this resolution, that said committee have power to send for persons and papers.

Resolved further, That if any charges shall be preferred before said committee, against the Public Printer, it shall be the duty of said committee to investigate the same and report thereon; and said committee shall examine, on oath, any witnesses introduced before them, either to sustain or refute such charges; and the testimony when taken, shall be reduced to writing, and reported by said committee. Said committee shall afford the Public Printer an opportunity to be heard before them in his defence, and shall examine any witnesses offered by him.

The amendment was adopted, and the resolution as amended concurred in.

A joint resolution fixing on the 28th instant as a day for the election of public officers.

Mr. HARDIN moved to insert the 30th instead of the 28th.

Mr. JAMES moved that the resolution lie on the table: agreed to.

Mr. SOUTH had special leave to introduce a bill for the benefit of Preston Hall, Polly Hughes, Lydia Johnson and Malinda Johnson, idiots of Letcher county: referred to committee on Finance.

A H. R. act to reduce the price of vacant lands in Madison, &c.: passed.

A message from the Governor, by Mr. Secretary Hardin.

The said message was read, as follows: Gentlemen of the Senate and

House of Representatives: In my annual message to the present General Assembly, I represented the means of the State in Bank stocks, by which part of the State debt might be paid, to amount to \$1,270,500.

In that statement, I inadvertently omitted to mention that the amount includes \$350,000 of stock in the Northern Bank of Kentucky, which has not been paid for by the State, otherwise than by the executive of like amount of five per cent. State bonds, which are not included in my estimate of the funded debt of the State.

WM. OWSLEY.

Mr. A. BOYD, from the committee on Enrollments, reported sundry bills, which were signed by the SPEAKER.

The SPEAKER presented a report from the Board of Internal Improvement: referred to committee on Internal Improvement, and ordered to be printed.

Mr. W. P. BOYD moved a resolution that the committee on the Public Library inquire into the expediency of purchasing a set of the Debates of Congress, and a set of Elliott's Debates; and that they report by bill or otherwise: adopted.

And then the Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 21, 1846.

Prayers being said, and the Journal read, Mr. COX asked and obtained his discharge from service in the committee on Banks.

Mr. E. SMITH, rising, said that he wanted to get right to-day. Yesterday, when he had offered the proposition (which he was now about to present) as an amendment to a resolution offered by the gentleman from Fayette, (Mr. L. Combs,) he found himself unhorsed by that gentleman's motion to lay his own resolution on the table. His object was to instruct the Bank committee to confer with the officers of the banks as to the propriety and policy of establishing a branch for the accommodation of the mountain region, which he, in part, represented. Those citizens could with difficulty obtain loans from the banks at such a distance, because they were unknown to those institutions; and they were compelled to get "Gen. White" or "Col. Garrard" to endorse all their paper, or get no accommodation. He then, (by consent) offered the following resolution, which was read, to-wit:

Resolved, That the committee on Banks be directed to confer with the Bank of Kentucky at Louisville, and the Northern Bank, on the subject of establishing a branch in the south-eastern section of the State, with a capital of \$100,000, for the accommodation of the mountain region.

Mr. BARKLEY proposed to amend, by further instructing the committee on Banks to inquire into the expediency of reporting a bill requiring the officers of all the Insurance Companies, chartered by the Legislature of Kentucky, to make out annual statements of the condition of their respective companies, and report them to the General Assembly.

Mr. BROWN proposed to amend the amendment by further instructing the committee on Banks to ascertain whether those institutions cannot, without prejudice to their interests, continue their loans for twelve months, instead of four months—by the borrower renewing at the end of every four months.

The amendments and resolution were then severally adopted.

Mr. COX, by consent, and under the instruction of the committee on Internal Improvement, reported a bill to incorporate the Covington and Cincinnati Bridge Company, with an amendment, subjecting the corporation to the restrictions of the statute, entitled, an act to regulate ferries, and the owners and keepers of ferries, across the Ohio river, &c., approved December 2nd, 1831, (with reference to slaves.)

Mr. COX then delivered his views against the amendment, and moved its rejection; which carried; and then the bill passed.

On motion of Mr. KELLY, of absence till Sunday was extended to the gentleman from Jefferson, (Mr. Jones.)

A message from the Senate by Mr. Secretary Kohlmann, reported the action of that body on sundry bills, &c.

Mr. WALLER now offered the following joint resolution, which, under the rule, lies one day on the table, to-wit:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the joint resolution creating the committee from each House to visit the Lunatic Asylum at Lexington, &c., be, and it is hereby, so amended, as to increase the number of its members to six.

Mr. S. STONE, on leave granted, and under instruction from the committee on Propositions and Grievances, reported adversely to the petitions and papers to them referred on the subject of the formation of a new county out of the counties of Jefferson, Bullitt, Hardin and Meade: in which the House concurred.

Petitions, &c., were now presented by Messrs. ANTHONY, REID, BARLOW, ELLIOTT, CONNER, ROOT, G. BOWLING, HARDY and HALLAM: which were severally received, &c., and appropriately referred.

The SPEAKER, at the request of the select committee, appointed under a resolution of yesterday, announced their appointment for Mr. Lawrence to deliver a lecture in this Hall, at 7½ o'clock, on the subject of Geology.

Mr. ANTHONY asked, obtained leave, and introduced a bill to improve the navigation of Barren river: which was referred to the committee on Internal Improvement.

Mr. JAMES COMBS asked, obtained leave, and introduced a bill to legalize the proceedings of the Bullitt County Court: which was referred to the committee on the Judiciary.

REPORTS FROM THE COMMITTEE ON RELIGION.

Mr. PETERS, from the committee on Religion, reported the following bills, which were severally read, &c., and passed, to-wit:

A bill divorcing Thomas Briery from his wife Frances alias Fanny Briery.

A bill divorcing Benjamin M. Griffith from his wife, Mary Ann Griffith.

A bill for the benefit of Jesse Gee, (divorces him from his wife, Elizabeth Gee.)

A bill divorcing Mazella Crow from her husband, Samuel H. Crow.

A bill divorcing Thomas Stark from his wife, Nancy Stark.

A bill divorcing Joseph W. Tate from his wife, Mary C. Tate.

Mr. PETERS, from the same committee, reported resolutions rejecting the following petitions for divorce, in which the House concurred, to-wit: the petitions of James Gray, Green B. Tolly, and Jesse Burkhead.

Mr. DALLAM, from the Enrollments committee, reported sundry enrolled bills, originating in the Senate and in the House; which were duly reported and signed.

The SPEAKER now laid before the House a report from the President of the Board of Internal Improvement, in relation to the claim of William E. Dixon, on account of damages sustained by reason of slack-water improvement: which was referred to the committee on Claims.

Also, a report from Austin P. Cox, Secretary of the Board of Internal Improvement, in relation to the compensation of a Commissioner, (Mr. Shanks): same reference.

Mr. HARLAN offered the following joint resolution, which, under the rule, lies one day on the table, to-wit:

Whereas, the Secretary of the State in his communication to the General Assembly of the 14th instant, stated that he had matured a plan so to improve the revenue as to add fifty thousand dollars annually to the Sinking Fund—to reimburse the principal of the State debt in thirty years, and add very little to the burdens of the people: therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of State be requested to communicate his plan for the improvement of the revenue, indicated in the said communication.

SPECIAL ORDER.

The House went into the consideration of the Governor's veto of the bill entitled an act for the benefit of Wm. T. Samuels: which was reported by the Clerk as follows, to-wit:

Gentlemen of the House of Representatives: I herewith return, with my objections, a bill that originated in the House of Representatives, and which, after passing both Houses, was presented to me for approval, entitled, "an act for the benefit of Wm. T. Samuels."

The bill provides: "That it may be lawful for any of the Judges of the Circuit Courts, or Justices of the County Courts within this Commonwealth, to appoint William T. Samuels to the office of Clerk thereof," &c.

I object to this provision, because it implies that William T. Samuels may be lawfully appointed Clerk of any Circuit or County Court, without his producing, at the time of appointment, such certificate of his qualification as is required by the Constitution, and even without regard to the fact whether there is, or is not, a vacancy in the office of Clerk to which he may be appointed.

WM. OWSLEY.

The SPEAKER announced the question to be on the passage of the bill, the Governor's veto to the contrary notwithstanding.

Mr. HARLAN was then heard in favor of the passage of the bill, arguing its constitutionality on the ground of the right in the Legislature to pass laws granting exclusive privileges, &c.

Messrs. BROWN, POPE and PETERS followed in support of the veto.

And then the question, (being taken by yeas and nays,) was decided in the negative—yeas 77.

[A message, in writing, from the Governor was now received, by the Secretary of State, explanatory of his Annual Message—for which, see Senate proceedings of this day.]

THE SALARY BILL.

In committee of the Whole, (Mr. SEATON in the Chair,) the Clerk reported the bill to reduce the salaries of the Circuit Judges of this Commonwealth, and for other purposes.

Mr. HARDY proposed to amend in a particular clause, with the word "provided" instead of the word "allowed;" which was carried.

Mr. E. SMITH proposed to amend by adding a section to abolish the office of Superintendent of Public Instruction: which was opposed in speeches by Messrs. ROOT, WORTHAM and ALEXANDER: and supported by the mover, and Mr. COX.

Mr. HARDY merely suggested that, to abolish the office of Superintendent of Common Schools, would be to destroy a body corporate, created during the last session for the benefit of Common Schools, of which that officer was a member. He referred to the act, approved 10th February, 1845, and read it.

Mr. E. SMITH then proposed to amend his amendment by a proviso, that the act authorizing said corporation should be continued in force.

Mr. HARDY. That would be a perfect contradiction in terms. [A laugh.] Repeat the law on a specific subject, and then declare that law to be continued in force. [Continued laughing.]

Mr. DALLAM then proposed the following as a substitute for the amendments, to-wit:

Be it further enacted, &c., That the Superintendent of Public Instruction in this Commonwealth, shall, from and after the passage of this act, receive and be entitled to, no greater salary or compensation for his services as such Superintendent than ten dollars per annum.

Whereupon, Mr. GLENN offered his opposition to both the substitute and the amendments.

Mr. E. SMITH then withdrew his amendments, as he said, for the present.

Mr. DALLAM then proposed the following amendment, observing that, as the object of the bill was to reduce salaries, while he would not remark upon its merits, he would show his willingness to begin with the work where charity always began—at home.

He added that he had intended nothing disrespectful toward the Superintendent of Common Schools. The amendment was then read, as follows, to-wit:

Be it further enacted, That from and after the 15th of August next, the pay of Senators and Representatives of the General Assembly of this Commonwealth, shall be reduced to two dollars per diem.

Mr. COX. If the gentleman (Mr. Dallam) would suffer the operation of his amendment upon himself, during the present session—if it were not unconstitutional, he [Mr. C.] would propose such an amendment, and sustain it by his vote.

Mr. DALLAM. Gentlemen can do as they please about that. [Members laughing.]

Mr. KELLY proposed \$2 a day from and after the 10th day of February next. [Unconstitutional, unconstitutional.]

Mr. DESHA spoke against the proposition; and it was then rejected, by count, yeas 29, nays 40.

Mr. DALLAM now proposed to amend by reducing the salary of the Chancellor at Louisville from \$1500 to \$1200.

Mr. POPE opposed—intimating that, as the Chancellor continued to hold his sessions throughout the year on every Tuesday and Friday—taking a recess of only two or three weeks—his labor was no better paid than that of any common business man in the State.

The amendment was then adopted.

Mr. DALLAM then proposed a similar reduction of the salaries of the Judges of the Court of Appeals: which was rejected.

Mr. E. SMITH proposed to amend the bill by a section abolishing the office of Superintendent of Public Instruction, and referring his business to the office of the First Auditor.

Mr. ALEXANDER proposed to amend the amendment by fixing his salary at \$300.

Mr. HARDY submitted again, that the proposition of the gentleman from Rockcastle was inapropriately drawn.

Mr. E. SMITH then withdrew his amendment.

Mr. GEORGE BOWLING proposed to amend by adding the following section, to-wit:

Be it enacted, &c. That the members of the

Senate and House of Representatives shall only receive one dollar and fifty cents for each Sunday during the annual session of the Legislature. [Laughing in various directions.]

Mr. B. said it had always been a rule with him to pay a man according to his work; and for members to receive as much for Sunday as any other day, was contrary to that rule. One dollar and a half would pay expenses well for a Sabbath day.

The amendment was rejected.

The committee then rose, and reported the bill and amendments to the House.

And then the House adjourned.

IN THE SENATE OF THE UNITED STATES.

JANUARY 14, 1846.

Mr. CRITTENDEN, by unanimous consent, asked and obtained leave to bring in the following joint resolution: which was read twice, considered as in committee of the whole, postponed to, and made the order of the day for Monday, the 10th February next, and ordered to be printed.

Joint Resolution concerning the Oregon Territory.

Whereas, by the convention concluded the twentieth day of October, eighteen hundred and eighteen, between the United States of America and the King of the United Kingdom of Great Britain and Ireland, for the period of ten years, and afterwards indefinitely extended and continued in force by another convention of the same parties, concluded the sixth day of August, in the year of our Lord one thousand eight hundred and twenty seven, it was agreed that any country that may be claimed by either party on the northwest coast of America westward of the Stony or Rocky mountains, now commonly called the Oregon territory, should, together with its harbors, bays, and creeks, and the navigation of all rivers within the same, be "free and open" to the vessels, citizens, and subjects of the two Powers, but without prejudice to any claim which either of the parties might have to any part of said country; and with this further provision, in the second article of the said convention of the sixth of August, eighteen hundred and twenty seven, that neither party might abrogate and annul said convention, on giving due notice of twelve months to the other contracting party—

And, whereas, it has now become desirable that the respective claims of the United States and Great Britain should be definitely settled, and that said territory may no longer than need be, remain subject to the civil consequences of the divided allegiance of its American and British population, and of the confusion and conflict of national jurisdictions, dangerous to the cherished peace and good understanding of the two countries—

With a view, therefore, that the steps be taken for the abrogation of the said convention of the sixth of August, eighteen hundred and twenty seven, in the mode prescribed in the second article, and that the attention of the governments of both countries may be more earnestly and immediately directed to renewed efforts for the settlement of all their differences and disputes in respect to said territory—

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized, at his discretion, to give to the British government the notice required by its said second article for the abrogation of the said convention of the sixth of August, eighteen hundred and twenty seven: Provided, however, That, in order to afford ample time and opportunity for the amicable settlement and adjustment of all their differences and disputes in respect to said territory, said notice ought not to be given till after the close of the present session of Congress.

IN U. S. SENATE.

WASHINGTON, Jan. 14, 1846.

Mr. Allen, in pursuance of notice given yesterday, asked leave to introduce his joint resolution declaratory of the course which the United States ought to pursue, and the principles by which it ought to be governed relative to the interference of foreign powers with the independent governments of America.

Mr. Calhoun expressed his astonishment that the Senator, who is chairman of the committee on foreign relations, to which all such matters ought to be first referred, should, on his own responsibility, and without consulting a single member of the committee, think proper to introduce such a resolution. He, Mr. C., thought that the very fact of the movement originating without any consultation with the committee, a sufficient reason of itself of denying leave.

Mr. Allen made some remarks to the effect that he was endeavoring to carry out the views of the Executive; and Mr. Calhoun again remonstrated against a movement of this kind being made on Mr. A.'s individual capacity.

Mr. Jarnagin moved to lay the question on the table. The motion prevailed, yeas 28, nays 23.

SENATE.—Jan. 15.—Some private bills having been reported, at a very early hour, the Senate went into an executive session and afterwards adjourned to Monday next.

HOUSE OF REPRESENTATIVES.—Jan. 15.—A considerable number of private and local bills were also reported.

The House then went once more into committee of the whole, and resumed the consideration of the joint resolution from the committee on foreign affairs, authorizing the President to give the Oregon notice.

OUR FOREIGN RELATIONS.—MR. CRITTENDEN.—The National Intelligencer, of Thursday, speaking of the proceedings of the Senate of the United States on Wednesday last, says:

We congratulate the country upon the failure of the attempt to get up in that body a debate upon a proposition (that of Mr. Allen) which falls little short of a general declaration of war against all the nations of Europe, not in defence of any rights of the United States, but in a spirit of Quixotic enterprise for the redress of all grievances, without reference to their merits, which any nation on the continent of America may at any time allege against said nations, or any one of them. The debate upon such a proposition could not fail to disturb the harmony of our relations with all the rest of the world.

As to passing it, we presume that even the mover (though he is the chairman of the Committee on Foreign Relations) cannot have anticipated any eventual success for his proposition. The vote by which the unusually full Senate, on the instant, signified its disapprobation of it, was sufficiently decisive, but we take it for granted, would have been much more so, had it involved any other question concerning it than that of reception merely.

We congratulate the country, further, that the distinguished Senator from Kentucky, who has been reported in letters written from this city to intend, with some other Whig Senators, to vote for a legislative act giving off-hand the twelve months' notice of the abrogation of the conventional stipulation for the joint occupancy of the Oregon territory, has, by the evidently carefully-considered proposition introduced by him, indicated the course which he proposes to pursue; and that it is such as to be worthy of his reputation as a statesman and a patriot, whose object is an honorable peace, if attainable, in preference to an unnecessary and forced war.

The Washington correspondent of the Baltimore American writes under date of the 14th inst:

The proceedings in the two houses of Congress you will observe to be characterized by two important incidents. The Western members of the dominant party, aided by some of Mr. Van Buren's friends, are gradually venturing publicly to assail Mr. Calhoun.

On Monday Mr. Hamlin, of Me., pronounced the "masterly inactivity" policy a miserable policy, and one both tame and timid. To-day Mr. Gordon, of N. Y., denounced it in still stronger language, and charged it as "a South Carolina policy—a policy that would sacrifice everything for California or the enlargement of the slave States, and nothing for the Oregon or the free States."

Mr. Wentworth, of Illinois, to-day ventured beyond this, and to address himself to the whole South, calling upon them to do for the West what the West had done for the South, by voting for the annexation of Texas. Mr. Wentworth had not sufficient courage to give utterance to what every man who heard him knew to be the thoughts of his heart; and to call upon Southern men to fulfil their part of the contract by voting for the "whole of Oregon."

The insinuation, however, was broad enough to disturb the equanimity of several Southern members, and Messrs. Yancy, Houston, and Chapman of Alabama, all called upon Mr. Wentworth to explain.—Explanation amounted to retraction, or to charging others with saying of the South what Mr. Wentworth desired to say himself.

The proceedings in the Senate to-day are of much importance. There Mr. Calhoun made successful war upon Mr. Allen, of Ohio, and with a most marked influence upon the Senate and all who were present. Mr. Allen was not only defeated but bore his defeat with so little complacency as to show signs of great passion.

RESOURCES OF MASSACHUSETTS.—In industry and frugality no State in the Union stands before old Massachusetts. The perfectly systematic manner in which business is there carried on, the division of labor which prevails in all branches of manufacturing industry, and the thousand little "motions" which are annually produced, swell the product of her industry to an almost incredible amount. By returns from the assessors of the several cities and towns in that State, made to the Secretary of the Commonwealth during the past year, it appears that the agricultural products of the State for the year were estimated at \$23,000,000; the whale, cod and mackerel fisheries at \$11,000,000; and the manufacturing products at \$

